

2023 Jun-26 PM 03:52
U.S. DISTRICT COURT
N.D. OF ALABAMA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

MARVIN EUGENE LONG,)
)
Plaintiff,)
)
v.) **Civil Action No. 3:23-CV-00731-LCB**
)
CITY OF SHEFFIELD, ALABAMA,)
COUNTY OF COLBERT, ALABAMA,)
MAX DOTSON, in his individual)
capacity; DANIEL CREWS, in his)
individual capacity; TOMMY MILLS,)
in his individual capacity; BRADLEY)
SKIPWORTH, in his individual)
capacity, TIM VANDERFORD, in his)
Individual capacity; CURTIS BURNS,)
in his individual capacity, BRETT)
EVANS, in his individual capacity;)
CHIEF RICKY TERRY, in his official)
capacity; SHERIFF ERIC)
BALENTINE, in his official capacity,)
TYLER EVANS, in his individual)
capacity; JONATHAN HARKINS, in)
his individual capacity; SHEFFIELD)
POLICE DEPT, COLBERT COUNTY)
SHERIFF’S OFFICE, and MAYOR)
STEVE STANLEY, in his official)
capacity.)
)
Defendants.)

DEFENDANT COLBERT COUNTY SHERIFF'S OFFICE MOTION TO DISMISS

COMES NOW Defendant Colbert County Sheriff's Office and moves this Court to dismiss the Complaint (Doc. 1.) pursuant to Federal Rule of Civil Procedure

12(b)(6). As reasons for so moving, and as further set out in Defendant's Memorandum Brief filed contemporaneously herewith, Defendant states as follows:

1. Plaintiff's claims against the Colbert County Sheriff's Office cannot be sustained because it is not a legal entity subject to suit.

Respectfully submitted this 26th day of June 2023.

s/J. Randall McNeill

J. RANDALL MCNEILL (ASB-4841-E29J)
Attorney for Defendant Colbert County
Sheriff's Office
WEBB MCNEILL WALKER PC
One Commerce Street, Suite 700 (36104)
P.O. Box 238
Montgomery, Alabama 36101-0238
(334) 262-1850 – T
(334) 262-1889 – F
rmcneill@wmwfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 26th day of June 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Harry M. Daniels, Esq.
4751 Best Road Suite 490
Atlanta, GA 30337
daniels@harrymdaniels.com

Dr. Roderick Van Daniel, Esq.
1501 15th Avenue South, Suite 34
Birmingham, AL 35205
Roddaniel205@gmail.com

s/J. Randall McNeill
OF COUNSEL